

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2012 APR 16 PM 4:48

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MICHAEL JOE HORTON,

Petitioner,

v.

RICK THALER, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:11-CV-0182

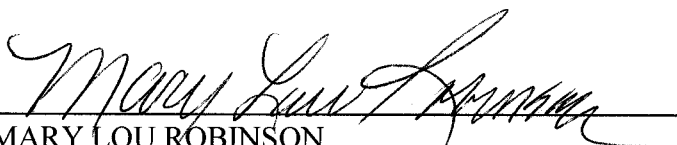
**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION and**  
**DENYING PETITIONER'S MOTION FOR SUMMARY JUDGMENT**

Came for consideration the motion for summary judgment filed by petitioner on January 25, 2012. On March 14, 2012, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the motion for summary judgment be denied. On March 21, 2012, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the motion for summary judgment is DENIED.

IT IS SO ORDERED.

ENTERED this 12<sup>th</sup> day of April 2012.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE